

## SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CRIMINAL DIVISION

## COMPLAINT

DCTN: U12031137LKUP# 8

Case #: \_\_\_\_\_

2012 CRW 003217

District of Columbia ss:

Defendant's Name: Kevon Austin 593-774 12-143-317  
(First) (MI) (Last) (PDID) (CCNO)

Address: [REDACTED]

KEVON AUSTIN, within the District of Columbia while armed with a gun, and with the intent to kill another and to inflict serious bodily injury on another and with a conscious disregard of an extreme risk of death or serious bodily injury to another, caused the death of GREGORY TROXLER by shooting him with a gun on or about October 10, 2012, thereby causing injuries from which GREGORY TROXLER died on or about October 10, 2012. (Second Degree Murder While Armed, in Violation of 22 D.C. Code, Sections 2103, 4502 (2001ed).)

Subscribed and sworn to before me this 19 day of

James Wilson  
Affiant's Name James Wilson  
October 2012  
Thomas S. [Signature]  
(Judge) (Deputy Clerk)

## WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:

WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for \_\_\_\_\_

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C.3041 forthwith to answer said charge.

Issued 10-19-12Thomas S. [Signature]  
Judge - Superior Court of the District of ColumbiaRule 105: [ ] \_\_\_\_\_  
Judge

Sex: Male	DOB: 02/02/1994	CCN: 12-143-317	PDID: 593-774
Papering Officer: Detective James Wilson CID/Homicide Branch			Badge No.: D2-1367

## OFFICER MUST EXECUTE RETURN

Officer's Name: <u>[Signature]</u>	Date / Time: <u>10-22-2012 10:00</u>
AUSA Signature: <u>[Signature]</u>	Fel. I <input checked="" type="checkbox"/> AFTC <input type="checkbox"/> Fel. II <input type="checkbox"/>

**Superior Court of the District of Columbia**  
**CRIMINAL DIVISION**

**AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT**

**USW NO.:**

DEFENDANT'S NAME: AUSTIN, KEVON				NICKNAME: K-MAN, CAVEMAN		ALIASES:		CCN: 12-143317	PDID: 593-774																
SEX: M	RACE: B	DOB: 2/2/1994	HGT: 5'5	WGT: 150	EYES: BRO	HAIR: BLACK	COMPL: MEDIUM	SCARS, MARKS, TATOOS TATOOS ON NECK																	
DEFENDANT'S HOME ADDRESS: [REDACTED]							TELEPHONE NUMBER: [REDACTED]																		
DEFENDANT'S BUSINESS ADDRESS: None							TELEPHONE NUMBER: N/A																		
COMPLAINANT'S NAME: DECEASED TROXLER, GREGORY							TELEPHONE NUMBER:																		
LOCATION OF OFFENSE: ALONGSIDE OF 1115 8TH STREET, NORTHEAST, WASHINGTON DC							DATE OF OFFENSE: OCTOBER 10, 2012	TIME OF OFFENSE: 3:51 p.m.																	
<b>CAUTION AND MEDICAL CONDITIONS (CMC)</b> Select a valid CMC code below for wanted person when using the caution indicator. <table style="width: 100%; margin-top: 10px;"> <tr> <td><input checked="" type="checkbox"/> 00 = Armed and Dangerous</td> <td><input type="checkbox"/> 55 = Alcoholic</td> </tr> <tr> <td><input checked="" type="checkbox"/> 05 = Violent Tendencies</td> <td><input type="checkbox"/> 60 = Allergies</td> </tr> <tr> <td><input type="checkbox"/> 10 = Martial Arts Expert</td> <td><input type="checkbox"/> 65 = Epilepsy</td> </tr> <tr> <td><input type="checkbox"/> 15 = Explosive Expertise</td> <td><input type="checkbox"/> 70 = Suicidal</td> </tr> <tr> <td><input type="checkbox"/> 20 = Known to abuse drugs</td> <td><input type="checkbox"/> 80 = Medication Required</td> </tr> <tr> <td><input type="checkbox"/> 25 = Escape Risk</td> <td><input type="checkbox"/> 85 = Hemophiliac</td> </tr> <tr> <td><input type="checkbox"/> 30 = Sexually Violent Predator</td> <td><input type="checkbox"/> 90 = Diabetic</td> </tr> <tr> <td><input type="checkbox"/> 50 = Heart Condition</td> <td><input type="checkbox"/> 01 = Other</td> </tr> </table>										<input checked="" type="checkbox"/> 00 = Armed and Dangerous	<input type="checkbox"/> 55 = Alcoholic	<input checked="" type="checkbox"/> 05 = Violent Tendencies	<input type="checkbox"/> 60 = Allergies	<input type="checkbox"/> 10 = Martial Arts Expert	<input type="checkbox"/> 65 = Epilepsy	<input type="checkbox"/> 15 = Explosive Expertise	<input type="checkbox"/> 70 = Suicidal	<input type="checkbox"/> 20 = Known to abuse drugs	<input type="checkbox"/> 80 = Medication Required	<input type="checkbox"/> 25 = Escape Risk	<input type="checkbox"/> 85 = Hemophiliac	<input type="checkbox"/> 30 = Sexually Violent Predator	<input type="checkbox"/> 90 = Diabetic	<input type="checkbox"/> 50 = Heart Condition	<input type="checkbox"/> 01 = Other
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<b>GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:</b>  I, James Wilson (hereinafter Affiant), Detective, District of Columbia Metropolitan Police Department (MPD), being duly sworn, state as follows:  On Wednesday, October 10, 2012, at approximately 3:51 pm, patrol officers assigned to the Fifth District heard the sound of gunshots coming from area of the 1100 block of 8th Street, Northeast, Washington, DC. Officers responded and discovered a black male alongside 1115 8th Street, Northeast, suffering from apparent gunshot wounds to the head and body. D.C. Fire and Emergency Medical Services personnel responded to the scene and found no signs consistent with life. The decedent remained on the scene. The decedent was pronounced dead by MLI Leigh Letichevsky at 7:45 pm. The decedent's remains were subsequently transported to the Office of the Chief Medical Examiner for an autopsy to be performed. The decedent has been identified as Gregory Darnell Troxler.  On Thursday, October 11, 2012, Dr. Pestaner of the District of Columbia Medical Examiner's office (OCME) conducted an autopsy on the decedent. The decedent had one gunshot wound (GSW) to his head, one GSW to the right side of his chest, two GSW's to his right buttocks and one GSW to his left forearm. The decedent had a total of five GSW's to his body. There were also abrasions noted to the decedent's forehead. Dr. Pestaner stated that decedent's cause of death was multiple gunshot wounds to the body and ruled the manner of death a homicide.  As a result of the decedent's death, the Homicide Branch initiated an investigation. During the initial on scene investigation, the following was determined. The decedent along with friends was congregating in the 1100 block of 8th Street, Northeast. The decedent was helping a family member move furniture into a residence. A short time later the decedent was observed walking into the alley alongside of 1115 8th Street, Northeast.																									

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During the course of this investigation, witnesses were located and identified. One such witness will hereafter be referred to as W1. On October 10, 2012, this affiant received a phone call from an MPD Officer who advised that a citizen known to him had information related to the homicide investigation and provided W1 with the affiant's phone number. W1 provided the following information.

W1 indicated that ten to twenty minutes before the homicide, IT was in the 1100 block of 8th Street, Northeast. IT advised that IT observed a person IT knew as "Cave-man" or "K-man" wearing a brown hoodie and riding a blue bicycle in the area. IT also stated the K-man was the only person IT observed with a brown hooded sweatshirt. W1 reported IT left the immediate area and approximately ten minutes after leaving, IT was told the decedent was shot and killed. W1 reported that IT was told the person responsible was wearing a brown hoodie (hooded sweatshirt) and riding a bicycle. W1 was later shown a confirmation photo of Kevon Austin, aka "K-man" [B/M, DOB 2/2/94], and IT noted that the person in the photo looked like "Caveman", the person IT was speaking about. Kevon Austin hereafter will be referred to as Defendant.

Another witness was located and will hereafter be referred to as W2. W2 reported that IT was in the 1100 block of 8th Street, Northeast, when the shooting occurred. IT advised that IT was on the west sidewalk, walking northbound. IT indicated while walking towards the decedent, the decedent began to walk across the street toward the alley; this alley runs east and west. W2 indicated that the decedent walked into the alley alone.

W2 reported that IT looked across the street and observed a black male standing in the alley behind 1115 8th Street, Northeast. W2 described this person as a black male wearing a brown hooded sweatshirt and that the hood was atop of the person's head. W2 advised, while the decedent was walking into the alley that IT observed the male peak out, looking towards the direction that the decedent was walking from. W2 also reported that IT only observed the black male with the brown hoodie on and that IT did NOT observe anyone else in the alley. W2 indicated that IT then heard at least five gunshots, and then observed the decedent lying in the alley. W2 reported that IT did not see which direction the male in the brown hoodie fled however IT was certain the suspect did NOT exit the alley on the 8th Street side.

Another witness was located and will hereafter be referred to as W3. On October 10, 2012, MPD Homicide Detective was informed that there was a witness who observed the homicide. W3 was interviewed and provided the following account of what IT observed. W3 reported that IT was standing across from the alley (west side) talking with a group of people to include the decedent. W3 stated the decedent advised that he was going home and began to walk thru the alley (alongside 1115 8th Street, Northeast) towards the rear of his house. W3 reported IT observed a subject wearing a brown hoodie and blue jeans appear and shoot the decedent. W3 reported the shooter then fled on a bicycle east thru the alley towards 9th Street Northeast. W3 advised that it appeared as if the shooter was hiding in the alley.

Another witness was located and will hereafter be referred to as W4. W4 reported that IT was inside IT's residence when IT heard gunshots. W4 reported IT looked outside and observed the decedent lying in the alley and immediately observed a person on a bicycle riding eastbound through the alley towards 9th Street, Northeast. W4 advised this person was wearing a brown hoodie on top of his head. W4 indicated that IT did NOT observe any other individuals fleeing the area where the decedent was discovered.

Another witness was located and will hereafter be referred to as W5. W5 advised that IT was in the immediate area of the shooting when IT heard five to six gunshots. W5 reported IT observed several police cars and police tape near the alley where the decedent was discovered. W5 indicated IT observed the decedent lying on the ground in the alley. W5 further indicated that days prior to the shooting IT heard a subject known to IT as K-man stating that he was going to kill the decedent. W5 advised that IT would see K-man on a daily basis over several years and that IT could identify him.

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Your Affiant presented W5 with a single color Metropolitan Police Department identification photograph of Kevon Austin (PDID: 593-774) for confirmation purposes. W5 advised the photo depicted was the individual known to IT as K-man and that this was the same person IT heard stating that he was going to kill the decedent.

Your Affiant interviewed CSOSA/GPS unit personnel who advised the Defendant was placed on Electronic Monitoring Program on October 5, 2011. They reported that the Defendant tampered with his GPS device on October 6, 2011 at 3:16 a.m. According to CSOSA personnel, the Defendant shielded the device by placing aluminum foil around the device thus not allowing it to communicate with the satellites.

On Friday, October 12, 2012, the Defendant was arrested on an unrelated charge. The Defendant's ankle had a GPS device attached. Your affiant learned that on October 9, 2012, the Defendant was placed on court ordered Electronic Monitoring Program. A query of Veritraks showed that on October 10, 2012, at 3:07 pm. (less than an hour before the homicide) the Defendant's GPS monitor stopped emitting a signal and did not begin to emit a signal again until 8:43 pm later that same day. The location of the GPS monitor at 3:07 p.m. was at 800 5<sup>th</sup> Street, approximately 1.6 miles away from the murder scene.

An interview with CSOSA/GPS unit personnel advised that this was considered a message gap and defined a message gap as "Unit failed to call in a specified time period," therefore the Defendant's GPS device did not get or give a GPS signal. He also advised that a GPS unit in such a condition would emit a vibration every ten minutes notifying the wearer that the unit needs charging. CSOSA provided the Defendant with a set of instructions and rules for the GPS device to include charging the device.

The Defendant acknowledged receipt of the instructions and rules. The Defendant signed a contract with the understanding that he had to charge the device 45-60 minutes twice a day. It is your Affiant's belief that the Defendant intentionally did not charge his GPS device in an effort to mask his location.

Based on the facts set forth in this Affidavit your affiant respectfully request that a DC Superior Court Arrest Warrant be issued for KEVON AUSTIN aka K-man aka Caveman, PDID 593-774.

AFFIANT'S SIGNATURE

*James Wilson*  
JAMES WILSON

TO: WARRANT CLERK  
PLEASE ISSUE A WARRANT FOR:

KEVON AUSTIN

Charge With: § 22-242 DISTURBANCE  
CRIMINAL MURDER

*[Signature]*  
ASSISTANT UNITED STATES ATTORNEY

SUBSCRIBED AND SWORN BEFORE ME THIS

19 DAY OF October 2012

*[Signature]*  
(JUDGE) DEPUTY CLERK) SUPERIOR COURT OF THE  
DISTRICT OF COLUMBIA

*Not Applicable*

LT. AH 10.18.2012